

# TRIPURA GAZETTE

*Published by Authority*  
**EXTRAORDINARY ISSUE**

---

*Agartala, Saturday, March 4, 2023 A. D., Phalguna 13, 1944 S. E.*

---

PART--I-- Orders and Notifications by the Government of Tripura,  
The High Court, Government Treasury etc.

**HIGH COURT OF TRIPURA  
AGRATALA**

No.F.3(35)-HC/2021/5908

Dated, Agartala, the 28th February, 2023.

**NOTIFICATION**

In exercise of the powers conferred by Article 227 of the Constitution of India and in compliance of directions of Hon'ble the Supreme Court of India passed in Contempt Petition (C) No. 555 of 2022 in Special Leave Petition (CRL) No. 5073 of 2011 (**Eega Soumya Vs. M. Mahender Reddy & Ors**) dated 01.11.2022, Hon'ble the Chief Justice of the High Court of Tripura, is hereby pleased to make the following Rules:

**1. (i) These Rules shall be called *The High Court of Tripura Criminal (First amendment) Rules and Orders 2023.***

(ii) They shall be deemed to have been come into force on and from the date of their publication in the official gazette.

**2. After Rule 5 (i) of chapter-I (Investigation) of "*The High Court of Tripura Criminal Rules and Orders, 2021*" the following shall be inserted, namely;**

*(ii) Upon receipt of information relating to the commission of offence of rape, the investigating officer shall make immediate steps to take the victim to any Metropolitan/ Judicial Magistrate for the purpose of recording her statement under Section 164 CrPC. A copy of the statement under Section 164 CrPC should be handed over by the concerned Magistrate to the investigating officer immediately with a specific direction that the contents of such statement under Section 164 CrPC should not be disclosed to any person till appropriate orders are passed by the Court after charge-sheet/report under Section 173 CrPC is filed. The right to receive a copy of such statement will arise only after cognizance is taken and at the stage contemplated by Sections 207 and 208 CrPC and not before.*

---

*(iii) The investigating officer shall as far as possible take the victim to the nearest Lady Metropolitan/ Lady Judicial Magistrate.*

*(iv) The investigating officer shall record specifically the date and the time at which he learnt about the commission of the offence of rape and the date and time at which he took the victim to the Metropolitan/ preferably Lady Judicial Magistrate as aforesaid.*

*(v) If there is any delay exceeding 24 hours in taking the victim to the Magistrate, the investigating officer should record the reasons for the same in the case diary and hand over a copy of the same to the Magistrate.*

*(vi) Medical examination of the victim: Section 164-A CrPC inserted by Act 25 of 2005 in CrPC imposes an obligation on the part of investigating officer to get the victim of the rape immediately medically examined. A copy of the report of such medical examination should be immediately handed over to the Magistrate who records the statement of the victim under Section 164 CrPC.*

By Order,

Sd/-

**(V. Pandey)**

REGISTRAR GENERAL